



## Jay Shepherd

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### **BY EMAIL and RESS**

October 6, 2011  
Our File No. 20110073

Ontario Energy Board  
2300 Yonge Street  
27<sup>th</sup> Floor  
Toronto, Ontario  
M4P 1E4

### **Attn: Kirsten Walli, Board Secretary**

Dear Ms. Walli:

### **Re: EB-2011-0073 – Oshawa 2012 Rates**

We are counsel for the School Energy Coalition. We have reviewed the claim for confidentiality by the Applicant, and the confidential documents which were provided to us in final form on October 5<sup>th</sup>, and have the following comments:

1. With respect to the document marked Appendix D, which assesses the bids for the Asset Condition Assessment project, we agree with the Applicant that all of the redactions proposed are necessary, and that the unredacted document should be confidential.
2. With respect to the document marked Appendix H, which was in response to a Staff IR, we do not need the unredacted version, as the redacted version is sufficient for SEC's purposes. We have no submissions on the proposed redactions.
3. With respect to the Metsco Proposal itself, we have not seen a redacted version. In our submission, nothing in that document needs to be confidential except the fee quoted. None of the other terms are sufficiently unusual or company-specific as to constitute

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proprietary information that needs protection. In the case of the price, in the normal course we would expect that information to be public, but in the particular circumstances of this case we believe that an exception should be made.

All of which is respectfully submitted.

Yours very truly,

**JAY SHEPHERD P. C.**

Jay Shepherd

cc: Wayne McNally, SEC (email)  
James Sidlofsky, BLG (email)  
Phil Martin, Oshawa (email)  
Interested parties (email)